

**DCSS P3 PROGRAM
CASE PROCESSING WORKGROUP
SEPTEMBER 8, 2000 MEETING
MEETING SUMMARY**

I. GENERAL

On Friday, September 8, 2000, the California Department of Child Support Services (DCSS) Policies, Procedures, and Practices (P3) Program, Case Processing Workgroup held its fourth official session in Sacramento. The following members attended:

- ☒ Jacinta Arteaga, County Analyst (Sup. FSO, San Mateo County)
- ☒ Barbara Catlow, County Co-leader (Asst. Director, LA County)
- ☒ Louanne Declusin, DCSS Co-leader (DCSS Cty Review Analyst)
- ☒ Cynthia Denenholz, Judicial Council (Commissioner, Sonoma County)
- ☒ Linda English, DCSS Analyst (DCSS Policy Analyst)
- ☒ Laurye Gage, FTB (CAMP)
- ☒ Marta James, FTB (CCSAS Info Sys Analyst)
- ☒ Rita Mah, Judicial Council (Family Law Facilitator, San Mateo County)
- ☒ Kim Mel, Small County (Sup. DDA, Santa Cruz County)
- ☐ Mary O'Hare-Teich, Large County (Prog. Specialist, Alameda County)
- ☐ Pam Pankey, FTB (CCSAS Child Sup. Specialist)
- ☐ Pat Pianko, OCSE (Region 9)
- ☒ Shirley Roberts, Scribe, SEIU (Sr. FSO, Ventura County)
- ☐ John Schambre, OCSE (Region 9)
- ☒ Jenny Skoble, Advocate (Harriett Buhai Center)
- ☒ Melanie Snider, Advocate (ACES, Legal Director)
- ☒ Pat Solomon, Medium County (Sr. FSO, Ventura County)

Attending *ex officio* were:

- ☒ Kathie Lalonde, Facilitator (SRA International)

This meeting summary highlights points covered, material discussed, decisions made, and follow-up tasks for forthcoming sessions. Comments and corrections should be addressed to scribe Shirley Roberts at shirley.roberts@mail.co.ventura.ca.us.

I. REVIEW OF LAST MEETING'S MINUTES & MISCELLANEOUS ITEMS

Louanne Declusin opened the meeting and asked for a review of the minutes from the August 25 meeting. Because too many groups are making continual changes to the meeting minutes, it was decided that the minutes will first be forwarded to the Case Processing Workgroup, with any changes to be sent to the scribe within two business days of the meeting. Minutes will be revised and forwarded to the facilitator for distribution. Any other changes will be made note of at the next meeting.

II. ACTION ITEMS

The co-leaders began the meeting with an update of the action items from the last meeting August 11, 2000.

MEDS automation

Linda English reported on her research for possible MEDS automation for counties. MEDS is part of the ADAM system and all counties should have access in the future.

Interstate process

Linda did some research on the interstate process and found there are no federal best practices regarding the establishment of a support order for a child who has the same father and mother as a child who is the subject of another state's order.

S&C proposal

Cynthia Denenholz will change the wording on the S&C proposal, page 3, item 2d to read: "If there is a child support order for some, but not all of the children, the order is from out of state, and California is not the proper state in which to modify the order, generally issue a summons and complaint for the 'new' children and refer the existing order to enforcement."

"Reserved vs. (0) orders"

Reserved and (0) orders are being counted by OCSE on the CS-157 report as orders, but reserved orders are not looked at as child support orders. When making the decision regarding what action to take, note that an order that reserves child support is not a support order, but that an order for zero (0) child support is a support order. California cannot modify an order for (0) from out of state.

There was discussion on whether to leave the "reserved" wording off the S&C and P/J. Does blank mean reserved? It was suggested the wording appear on the documents to show child support had been addressed. If left blank, there is no way of knowing whether C/S was addressed or not. It was noted that other states are not uniform in following best practices regarding modifying reserved orders.

Forms

Forms packets on summons and complaints were provided by Pat Solomon and Jacinta Arteaga. Pat provided forms used by Ventura County during the case opening and S&C process. He noted that all forms included the phrase "under penalty of perjury." Only the welfare for CA 2.1 does not contain the phrase.

Pat also brought copies of the Ventura County blood test stipulation and pointed out that

the stip does include verbiage regarding blood test costs that will enable counties to collect costs.

IV-D agency input

It was recommended that DCSS have someone from the IV-D agency on the IV-A committee to enable IV-D to have input on the CA 2.1 revision and other child support matters.

Case opening letters

It was discovered that all counties have some sort of letter that goes to the custodial and noncustodial parties when a case is opened. It was recommended that all existing previous court order numbers be put on these letters if possible. We will refer the issue to the Non-Judicial Forms Workgroup.

Family violence indicator mass mailing

Barbara Catlow wondered what other counties are doing to get the forms out; will there be new forms; can they be part of the intake packet? Jacinta Arteaga states San Mateo County is adding the FVI information to the yearly mailing packets they send out. Louanne stated DCSS has sent out a new FSD letter with the new policy. She provided copies to all present.

POP Dec

Jacinta discussed the policy in San Mateo County regarding paternity. She said their county has the father sign an acknowledgment of paternity when he comes in the office. Jenny Skoble asked why the father did not sign a POP Dec instead. Jim Mullany, DCSS, came in and gave a brief explanation of the POP Dec. He said it would be all right for the father to sign the POP Dec first, but it would not be valid until the mother signed it. If the counties want to have the POP Dec signed when the father comes in, the child support agency can sign as a witness to his signature. The CP would sign in front of a notary and have her signature notarized. Most counties have notaries on staff. Jim suggested that both parents show up and sign at the same time and have signatures notarized.

Matrix narratives on Intake and Establishment

Laurie Gage and Marta James provided copies of the matrix with narratives on Intake and Establishment for review. It was decided to move the analysis portion regarding existing court orders to the Intake module. The group recognizes that best practices may vary depending on the demographics of each county. An alternate best practice would be to let counties vary the process as long as the same steps are performed; it doesn't matter where the steps are done—at Intake or Establishment.

Laurye and Marta are concerned that the flow chart does not match the narrative. It was decided to work on the narrative first and match the flow chart to it to enable speakers and presenters to more easily explain the case processing steps along with the visual aids. Laurye and Marta will make changes to the matrix for the next meeting.

III.SUMMONS AND COMPLAINTS

Cynthia Denenholz prepared the revised best practices process for summons and complaints and proposed judgments and provided copies for group members.

Interstate POP Decs

There was some discussion on whether to file for paternity on another state's POP Decs. It was decided California would recognize those decs. It was also decided that California needs an automated POP Dec registry that will enable counties to automatically check the database.

S&Cs on unborns

Linda English noted that the child may never be born due to complications and should not have an S&C processed before birth. A vote was taken with the following results: Half of the group wants to file on unborns and half do not.

IV. BEST PRACTICES FOR SUMMONS AND COMPLAINTS

Cynthia Denenholz provided revised copies to the group. Results of the discussion were as follows:

1. Section B, 2b – As noted, there was an even split on whether to file a summons and complaint on an unborn.
2. 2d) — If there is a child support order for some, but not all of the children, the order is from out of state, and California is not the proper state in which to modify the order, generally issue a summons and complaint for the new child/ren and refer the existing order to enforcement.
3. 3a) Supplemental Complaints—The group agreed to the suggestion that we recommend legislation clarifying that supplemental complaints may be used to establish arrears for periods of aid for the child/ren who is the subject of the existing order for current support or arrears (for other periods).
4. 5) Recommendation—Instead of waiting for the CA 2.1 to be revised, use the Ventura County forms DACSD 1801 “Declaration of Paternity and Child Support” and DACSD 1805 “Declaration of Child Support.”
5. 6b) Best practice should include tickling the file for 30 days for summons and

complaint preparation to locate the obligor's Social Security number and/or income/history if those are unknown. Presumed income should be used only if there is no income information after there has been a bona fide attempt to locate such information. **Majority Opinion:** Do not wait 30 days before processing S&C.

Minority Opinion: Tickle file for 30 days.

6. 7bi) The group agreed on the suggestion to develop statewide standards regarding the use of income history in terms of that income's duration and amount.
7. 7e) The group recommends that the IV-D agencies should apply hardship deductions based on a uniform criteria and adequate documentation.
8. 7f) Best practices for LIA—**Majority Opinion:** Should include the IV-D agencies' use of the low-income adjustment. **Minority Opinion:** Do not use the LIA at the summons/complaint/PJ stage. Recommend need for statewide criteria and/or formulas to ensure that the LIA is used uniformly and that its use is documented.
9. 7h) The group recommends a statewide form be developed to advise the custodial parent that the local child support agency will not enforce orders for a percentage or ratio of health care or child care costs; but if an order for health care or child care arrears sets forth a sum-certain amount, that order will be enforced by the local child support agency.
10. 7i) A best practice recommendation is that the child support obligation should begin the month a child is born, even if aid is paid prior to that time (i.e., pregnancy special needs).
11. 8a) Discussion on whether to include all months retroactive to one year or only months aid was expended in the calculation for support. **Majority Opinion:** Go back one year for all cases regardless of the aid status, i.e., TANF or non-TANF. **Minority Opinion:** Calculate arrears for only those months aid was expended, not exceeding one year from date of the filing of the complaint. It is further recommended that the law regarding whether non-aid months are included in the arrears period be clarified and amended to include non-TANF applications.
12. 8c) Best practice—The monthly payback amount to the arrears be consistent throughout the state. In most cases, it should be greater than accruing interest. The group agrees that any formula should be coordinated with the Non-CAMP Enforcement Workgroup, although a lower amount may be considered in establishment cases, as there has not been previous compliance.
13. 9) Genetic testing costs—**Unanimous Opinion:** Do not ask for genetic testing costs although interstate cases may be an exception.
14. 10c) Digitized signatures—Linda English researched the statute and found it has been interpreted loosely. **Majority Opinion:** Recommend that legislation be changed to

utilize digitized signatures. **Minority Opinion:** Do not allow use of digitized signatures. **Issue:** Large counties could become bottlenecked and further slow the process if digitized signatures cannot be used. This raises a compliance problem. **Recommendation:** Refer the issue to the Attorney Staffing Workgroup if digitized signatures cannot be used.

15. 11) The documents are filed with the Superior Court. **Majority Opinion:** The local child support agency is staffed with deputized court clerks who stamp routine pleadings and have direct telephone access to the court for new case numbers. **Minority Opinion:** Not best practice due to possible conflict of interest. Some courts may not allow this.
16. Section C, 3a) Amended proposed judgment. Although the final judgment should generally be identical to the proposed judgment, an amended PJ is not necessary if the change will not result in any potential loss of money to the custodial parent, and deletions or reductions do not increase the support obligations. (An explanation of the deletion/reduction must be given on the default declaration.) Legislation may need to be changed. **Majority Opinion:** Do not need to amend PJ. No need for a declaration to be attached to PJ. **Minority Opinion:** Do an amended PJ.

V. BEST PRACTICES FOR SERVICE PROCESS

Linda English prepared and provided copies to the group. She discussed whether the notice should be sent to the NCP at the time of filing of the S&C, before being sent for service. The notice would provide instructions to the NCP to come into the local child support office to be served and tell the person that this will eliminate the possibility of being served at their place of employment. It would also give NCPs who live outside the area the opportunity to call the office and request the packet be sent to them and the service be done by notice and acknowledgment.

One issue would be cost—i.e., fees for process servers may be saved if NCP comes in to be served. Some counties said they have not received much/any response from the NCPs and may not be able to keep in compliance if they have to wait for a response. Some prefer to send the letter at the same time as the packet is sent for service. A vote was taken in three areas:

1. Should a letter be sent? **Unanimous Opinion:** All agree to send letter to everyone.
2. Do we hold service? **Majority Opinion:** Yes. **Minority Opinion:** No.
3. For those who vote yes, for what time frame? **Unanimous Opinion:** 15 days. On the 16th day, the S&C packet goes to service. The NCP can still call and come in to be served and, if service has not been completed, it should be recalled. There would be no guarantees NCP would not be served at employer, if NCP calls too late after notice.

Rita Mah asked why the NCP couldn't go into any child support office and sign a stipulation, even if the NCP is out of the area. It was agreed that it is not possible at this time, but a recommendation has been made for a statewide order that could make it possible once the statewide system is in place. Best practice would be to send a notice and acknowledgment to the out-of-area NCP, if a call is made to the child support office asking to be served. If the NCP is in the office, s/he should be served and a settlement worked out.

Service by publication

The group is concerned about use of this method. The group recommends DCSS form a committee to look at service by publication from the perspective of legalities and analysis and decide whether to make it a best practice.

Case construct revisited

The group decided to stay with its original recommendation of case construct, having multiple payees on one case.

Additional meeting to discuss other areas

Time ran out before getting to the other areas of blood test process, contested actions, defaults, and locate. The group felt these are important areas to discuss and requested another meeting be added to finish these discussions. An additional meeting will take place on Thursday, September 14, at 10:00 a.m. Kathie and Louanne will see if the room will be available.

VI. RECOMMENDATIONS

1. Require automated checking of POP Dec database.
2. Put all known court numbers on case opening letters.
3. Use the Ventura County forms DACSD 1801 and 1805 re: Declaration of Paternity and Child Support.
4. Have NCP sign POP Dec when in office if willing to acknowledge paternity.
5. Send a request to NCP for income earning information with opening letter.
6. Use the simplified financial statement (when applicable).
7. Send NCP notice and acknowledgment if out of area and a phone call is made requesting service.
8. DCSS should form a committee to look at service by publication and decide whether to make it a best practice.

VII. ACTION ITEMS/HOMEWORK ASSIGNMENTS FOR NEXT SESSION

Action Item	Date Recorded	Assignee	Date Due	Date Closed	Resolution
Bring questionnaires, review guide, flow charts, statistical reports, CS157	7/14/00	L. Declusin	7/21/00	7/21/00	Done

Action Item	Date Recorded	Assignee	Date Due	Date Closed	Resolution
Bring compiled statistical reports by county size (small, medium, and large) and interstate best practices FSD letter.	7/14/00	L.English	7/21/00	7/21/00	Done
Bring CDAA family support officer college blue binder including flow chart.	7/14/00	J. Arteaga	7/21/00	7/21/00	Done
Review FTB information to share with committee with regard to case processing and systems information.	7/14/00	M. James	7/21/00	7/21/00	Done
Bring post-it notes in various colors, markers, all copies of handouts (20 each).	7/14/00	K. Lalonde	7/21/00	8/18/00	Done
Bring reports, matrices, graphics and charts specific to case processing practices.	7/14/00	K. Lalonde, L. English and OCSE rep	7/21/00	8/18/00	Done
Anyone with access to flow charts and compliance time frame charts is asked to bring them to the next meeting.	7/14/00	All committee members	7/21/00	8/18/00	Done
Case review checklist, flow chart	7/14/00	P. Solomon	7/21/00		Done
Discuss the issue of freeing up the state committee member's time for the P3 project	7/14/00	P. Jensen and K. Lalonde	7/21/00	8/4/00	Request made
Obtain time frames and compliance information	7/14/00	Federal Reps	7/21/00		Done
Get 20 copies of the CFRs.	7/14/00	K. Lalonde	7/21/00	8/4/00	Provided members with web site so they can print sections they want.
Need information on CAMP duties	7/14/00	FTB Reps	7/21/00	8/4/00	Done
Delegate responsibilities for the processing categories	7/14/00	Group	7/21/00	8/4/00	Done
Coordinate with other groups on their actions	7/14/00	Group	7/21/00	8/4/00	Done
Develop a strawman flow chart for Intake, Locate, and Establishment functions and fax to Workgroup when ready. This will enable members to come up with the necessary details for each function before the next meeting.	7/21/00	L. English and M. O'Hare-Teich	8/11/00	8/11/00	Done
Get information on the posters needed for the next meeting to Mary O'Hare-Teich	7/21/00	K. Lalonde	8/11/00	8/4/00	Posters done
Get copies of the 1999 CFRs for members (18)	7/21/00	K. Lalonde	8/11/00	8/4/00	Provided members with web site so they can print sections they want

Action Item	Date Recorded	Assignee	Date Due	Date Closed	Resolution
Read the material handed out in the meeting and be prepared to discuss details for the functional categories and sub-categories	7/21/00	All	8/11/00		In process
Look up legal requirements for case processing	8/11/00	J. Skoble	8/25/00	8/25/00	Done
Analyze SC1410 material (county best practices) and document automated/manual Locate and Establishment procedures	8/11/00	J. Arteaga	8/25/00	8/25/00	Done
Analyze Compendium of State Best Practices related to case processing and document best practices	8/11/00	C. Denenholz	8/25/00	8/25/00	Done
Analyze Peggy Jensen's material related to case processing and document best practices	8/11/00	J. Arteaga	8/25/00	8/25/00	Done
Review other team notes for issues and provide summary to team	8/11/00	L. English	8/25/00	8/25/00	Done
Document process for filing Summons & Complaint (and any other related proceedings)	8/11/00	D. Denenholz, K. Mel and J. Arteaga	8/25/00	8/25/00	Done
Document process for Service & Notice and prior notice to NCP before serving	8/11/00	L. English M. Snider	8/25/00	8/25/00	Done
Document process for default judgments	8/11/00	J. Skoble and B. Catlow	8/25/00	8/25/00	Done
Document process for blood tests and contested judgments	8/11/00	S. Roberts and P. Solomon	8/25/00	8/25/00	Done
Update Case Workflow documents	8/11/00	M. O'Hare-Teich	8/25/00	8/25/00	Done
Document Workflow Narratives	8/11/00	L. Gage	8/25/00	8/25/00	Done
Read best practices for Case Processing (Jacinta's and Cynthia's documents). Delete any information that does not meet Best Practices.	8/25/00	Team	9/8/00	9/8/00	Done
Get out summary document from 8/24 steering meeting. Also send out any outstanding meeting minutes.	8/25/00	K. Lalonde	9/8/00	9/8/00	Done
Research on interstate issue	8/225/00	L. English	9/8/00	9/8/00	Done
Bring county forms for NCP Income/Expense Declaration, and Paternity documents	8/25/00	J. Arteaga and P. Solomon	9/8/00	9/8/00	Done
Add timeframes, legal codes and updates to Narratives document	8/25/00	L. Gage	9/8/00	9/8/00	Done
Bring Summons & Complaint containing statement on blood tests	8/25/00	P. Solomon	9/8/00	9/8/00	Done
Create agenda for next meeting. Jacinta to pick up and bring to next meeting	8/25/00	M. O'Hare-Teich	9/8/00	9/8/00	Done
Update the "Suggested Best Case Processing Practices" document	8/25/00	D. Denenholz	9/8/00	9/8/00	Done

Action Item	Date Recorded	Assignee	Date Due	Date Closed	Resolution
Send digitized voice information to Kathie	8/25/00	M. O'Hare-Teich	9/8/00		
Locate judicial form number for the simplified financial information form and pass on to Laurye Gage	9/8/00	?	9/14/00		
Add the following comment to the flow charts. "This flow depicts the actions the team has determined need to occur on each case." Depending on the interim system the counties are using, the steps in which the county takes these actions may vary.	9/8/00	M. O'Hare-Teich	9/14/00		
Update flows after matrices are complete	9/8/00	M. O'Hare-Teich	9/14/00		
Scan Ventura forms. Form #1 is the declaration of paternity and child. Form #2 is the declaration of child support.	9/8/00	K. Lalonde	9/14/00		
Update the Intake and Establishment matrices	9/8/00	L. Gage and M. James	9/14/00		
Bring the form for advising the custodial parent that LCA will not enforce order for % ratio of health care or child care.	9/8/00	J. Arteaga	9/14/00		
Put together drafts of the short report and long reports	9/8/00	L. English, L. Declusin, B. Catlow	9/14/00		
Review and respond on drafts of reports	9/8/00	Group	9/14/00		
Find out if matrices can be passed out in the non-public sessions on 9/21/00	9/8/00	K. Lalonde	9/14/00		
Contact IV-A agency to see if there is a committee to revise the 2.1 form	9/8/00	L. English	9/14/00		

VIII. CROSSOVER ISSUES

The Non-Judicial Forms Workgroup should explore the possibility of putting court numbers on all documents/letters.

IX. AGENDA FOR NEXT MEETING SEPTEMBER 14

1. Review minutes
2. Discuss blood test process
3. Discuss contested action process
4. Discuss default process
5. Discuss locate best practices
6. Discuss Best Case Processing Practices, ideas from the Compendium of State Best Practices and Good Ideas in Child Support 2000
7. Homework assignments